

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

| | | |
|--------------------------------|---|----------------------|
| TERRENCE J. HANCOCK, et al., |) | |
| |) | |
| Plaintiffs, |) | CIVIL ACTION |
| |) | |
| vs. |) | NO. 09 C 3622 |
| |) | |
| XPRESS MATERIAL HAULERS, INC., |) | JUDGE JAMES B. ZAGEL |
| an Illinois corporation, |) | |
| |) | |
| Defendant. |) | |

MOTION FOR ENTRY OF DEFAULT AND JUDGMENT

NOW COME Plaintiffs, by their attorneys, and move for entry of judgment by default against Defendant, XPRESS MATERIAL HAULERS, INC., an Illinois corporation, in the total amount of \$3,634.20, plus Plaintiffs' court costs and reasonable attorneys' fees in the amount of \$937.50.

On June 25, 2009, the Summons and Complaint was served on the Registered Agent (by tendering a copy of said documents to Margaret Jones) at his place of business (a copy of the Summons and Affidavit of Service is attached hereto). Therefore, Defendant's answer was due on July 15, 2009. As Defendant has failed to timely answer the Complaint, Plaintiffs respectfully request entry of default and judgment.

/s/ Cecilia M. Scanlon _____

CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 18th day of August 2009:

Mr. Mark Gineris, Registered Agent
Xpress Material Haulers, Inc.
1488 Aberdeen Street
Chicago Heights, IL 60411

/s/ Cecilia M. Scanlon _____

Cecilia M. Scanlon
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